

JCS04 U.S. PTO
06/29/99

SECTOR/ #3

1

PATENT
USSN 09/171,732
ATTY DOCKET 98123

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Michael Strobel et al.) Group Art:
) 3733
For: Orthopedic Splint)
) Examiner:
) Unknown
Serial No.: 09/171,732)
Filed: October 8, 1998)

LETTER IN RESPONSE TO NOTICE TO FILE MISSING PARTS
OF APPLICATION UNDER 37 CFR 1.53(d)

Assistant Commissioner for Patents
Attn.: Box Missing Parts
Washington, DC 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application (copy enclosed) mailed on **April 29, 1999**, applicant is hereby filing the enclosed documents and submitting the enclosed checks to complete the above-identified application:

- (1) A Declaration signed by the inventors.
- (2) A Small Entity Declaration form signed by the inventors Michael Strobel, Jürgen Eichhorn and Karl Hausladen.
- (3) A Small Entity for Small Business Declaration signed by Jochen Piotrowsky, an officer of Medi Bayreuth.
- (4) A Certified Copy of German Patent Application No. 297 02 186.9.
- (5) An executed Assignment from the inventors to Medi Bayreuth Weihermuller und Voigtmann GmbH & Co. KG, a check for \$40.00 and a Patent Assignment Recordal Form.
- (6) An application transmittal form.
- (7) A fee calculation sheet.
- (8) A check in the amount of \$445.00 for the basic filing fee of \$380.00 and the government surcharge of \$65.00.

The PTO did not receive the following
listed item(s) a check 445.00

(9) A check in the amount of \$40.00 for payment of the assignment recordal fee.

(10) The Commissioner is hereby authorized to credit any overpayment or charge any additional fees required under 37 CFR 1.17, 37 CFR 1.21(k) or 37 CFR 1.18 to our Deposit Account No. 22-0355.

Respectfully submitted,



Thomas R. Vigil, Reg. No. 24,542

Date: 6/28/12

VIGIL & ASSOCIATES
836 S. Northwest Highway
Barrington, Illinois 60010
(847) 382-6500
(847) 382-6895 (Fax)

PATENT
USSN 09/171,732
Atty Docket 98123

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

New patent application:

Regular
 Convention
 File Wrapper Continuation
 Divisional/Continuation
 Continuation-in-part
 Reissue Application
 PCT National Phase
 PCT Application
 Continuation of PCT No. _____

Applicant (s) :
Michael Strobel et al.
Serial No.
Title:
ORTHOPEDIC SPLINT



CERTIFICATE OF EXPRESS MAIL DEPOSIT

"Express Mail" Mailing Label No. EM 311373341 US
Date of Deposit: June 29, 1999

I hereby certify that this paper, or fee, is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Sandra-Van Takla

(Typed or printed name of person mailing fee or paper)

Sandra-Van Takla
(Signature of person mailing paper of fee)

The documents enclosed with and being filed with this paper are:

application transmittal letter
 Patent application:
 pages of specification
 pages of claims containing _____ claims
 Abstract of the Disclosure
 sheets of drawings containing _____ FIG's.
 executed Declaration and Power of Attorney
~~executed Declaration and Power of Attorney~~
 specification and claims in foreign language
 PCT Article 19 Amendment
 translation of PCT article 19 Amendment
 Assignment & Patent Assignment Recordation Cover Sheet
 Small Entity Declaration (s) (two)
 translation of amended specification and/or claims
 Check (s) in the amounts of: \$40.00 and \$445.00
 Petition for Extension of Time in prior Application
 Serial No. _____ for _____ month (s)
 Preliminary Amendment Before Action
 Disclosure Statement including USPTO Form 1449 and
copies of _____ reference (s)
 Letter re application being filed with no filing fee
and no executed Declaration
 Letter In Response To Notice To File Missing Parts Of Application
Under 37 CFR 1.53(d)
 Transmittal of Priority Document and certified copy of German Patent
Application No. 297 02 186.9



PTO/SB/17 (1/98)

Approved for use through 9/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL

Patent fees are subject to annual revision on October 1.

These are the fees effective October 1, 1997.

Small Entity payments must be supported by a small entity statement; otherwise large entity fees must be paid. See Forms PTO/SB/09-12.

TOTAL AMOUNT OF PAYMENT (\$ 445.00)

Complete if Known

| | |
|----------------------|------------------------|
| Application Number | 09/171,732 |
| Filing Date | October 8, 1998 |
| First Named Inventor | Michael Strobel et al. |
| Examiner Name | Unknown |
| Group / Art Unit | 3733 |
| Attorney Docket No. | 98123 |

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:Deposit Account 22-0355
Number
Deposit Account Name Vigil & Associates Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Charge the Issue Fee Set In 37 CFR 1.18 at the Mailing of the Notice of Allowance2. Payment Enclosed: Check Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 101 790 | 201 125 | Utility filing fee | 380. |
| 106 330 | 206 165 | Design filing fee | |
| 107 540 | 207 270 | Plant filing fee | |
| 108 790 | 208 395 | Reissue filing fee | |
| 114 150 | 214 75 | Provisional filing fee | |
| SUBTOTAL (1) (\$) | | 380. | |

2. EXTRA CLAIM FEES

| | Extra Claims | Fee from below | Fee Paid |
|--------------------|---------------|----------------|----------|
| Total Claims | 6 -20** = -0- | x | = -0- |
| Independent Claims | 1 -3** = -0- | x | = -0- |
| Multiple Dependent | | | |

*or number previously paid, if greater; For Reissues, see below

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|----------------------------|----------------------------|--|
| 103 22 | 203 11 | Claims in excess of 20 |
| 102 82 | 202 41 | Independent claims in excess of 3 |
| 104 270 | 204 135 | Multiple dependent claim, if not paid |
| 109 82 | 209 41 | ** Reissue independent claims over original patent |
| 110 22 | 210 11 | ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) (\$) | | 380.00 |

3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------------|----------------------------|--|----------|
| 105 130 | 205 65 | Surcharge - late filing fee or oath | 65.00 |
| 127 50 | 227 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 130 | 139 130 | Non-English specification | |
| 147 2,520 | 147 2,520 | For filing a request for reexamination | |
| 112 920* | 112 920* | Requesting publication of SIR prior to Examiner action | |
| 113 1,840* | 113 1,840* | Requesting publication of SIR after Examiner action | |
| 115 110 | 215 55 | Extension for reply within first month | |
| 116 400 | 216 200 | Extension for reply within second month | |
| 117 950 | 217 475 | Extension for reply within third month | |
| 118 1,510 | 218 755 | Extension for reply within fourth month | |
| 128 2,060 | 228 1,030 | Extension for reply within fifth month | |
| 119 310 | 219 155 | Notice of Appeal | |
| 120 310 | 220 155 | Filing a brief in support of an appeal | |
| 121 270 | 221 135* | Request for oral hearing | |
| 138 1,510 | 138 1,510 | Petition to institute a public use proceeding | |
| 140 110 | 240 55 | Petition to revive - unavoidable | |
| 141 1,320 | 241 660 | Petition to revive - unintentional | |
| 142 1,320 | 242 660 | Utility issue fee (or reissue) | |
| 143 450 | 243 225 | Design issue fee | |
| 144 570 | 244 335 | Plant issue fee | |
| 122 130 | 122 130 | Petitions to the Commissioner | |
| 123 50 | 123 50 | Petitions related to provisional applications | |
| 126 240 | 126 240 | Submission of Information Disclosure Stmt | |
| 581 40 | 581 40 | Recording each patent assignment per property (times number of properties) | |
| 146 790 | 245 395 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 149 790 | 249 395 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| Other fee (specify) | | | |
| Other fee (specify) | | | |
| Reduced by Basic Filing Fee Paid | | SUBTOTAL (3) (\$) | 65.00 |

SUBMITTED BY

Complete (if applicable)

| | | | |
|-----------------------|------------------------|-------------|---------|
| Typed or Printed Name | Thomas R. Vigil | Reg. Number | 24,542 |
| Signature | <i>Thomas R. Vigil</i> | Date | 6/28/99 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.